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Chapter 7 Trustee
8

9 **UNITED STATES BANKRUPTCY COURT**
10 **CENTRAL DISTRICT OF CALIFORNIA**
11 **NORTHERN DIVISION**
12

13 In re
14 HVI CAT CANYON, INC.,
15 Debtor.
16
17
18
19
20
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Case No. 9:19-bk-11573-MB

Chapter 7

**TRUSTEE'S SUPPLEMENT TO
MOTION FOR AN ORDER TO
SHOW CAUSE WHY GIT, INC.
SHOULD NOT BE HELD IN
CONTEMPT**

Date: February 11, 2021
Time: 10:00 a.m.
Place: Courtroom 201
1415 State Street
Santa Barbara, California
93101

22
23 Michael A. McConnell, the Chapter 7 Trustee ("Trustee") in the above entitled
24 bankruptcy case ("Bankruptcy Case"), hereby requests that the Court enter the
25 Amended Proposed Order, previously lodged with the Court at Docket no. 1561 and
26 via the LOU system, on the Trustee's motion for an order to show cause re:
27 contempt.
28

1 At a hearing on February 11, the Court took the contempt motion under
2 submission. Trustee's counsel reported, and GIT's counsel confirmed, discussions
3 between them about a consensual resolution to the issues raised by the contempt
4 motion. That consensual resolution included access to GIT's server by the Trustee's
5 forensic experts.

6 In brief, the consensual resolution with respect to production of the server and
7 the backup tapes has not worked out. GIT has not made the server and its backup
8 media available to the Trustee's forensic experts for inspection, despite its promise to
9 do so.

10 Accordingly, the Trustee requests that the Court rule upon the Trustee's
11 motion for an OSC re contempt and enter the order at the earliest opportunity.

12 Respectfully submitted on February 16, 2021, at Los Angeles, California.

13
14 DANNING, GILL, ISRAEL &
15 KRASNOFF, LLP
16

17 By: /s/ George E. Schulman
18 GEORGE E. SCHULMAN
19 Attorneys for Michael A. McConnell,
20 Chapter 7 Trustee
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PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is 1901 Avenue of the Stars, Suite 450, Los Angeles, CA 90067-6006.

A true and correct copy of the foregoing document entitled (*specify*): TRUSTEE'S SUPPLEMENT TO MOTION FOR AN ORDER TO SHOW CAUSE WHY GIT, INC. SHOULD NOT BE HELD IN CONTEMPT will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On February 16, 2021 I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page.

2. SERVED BY UNITED STATES MAIL: On February 16, 2021, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by causing to be placed a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

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c/o Capitol Corporate Services, Inc.
36 S. 18th Avenue, Suite D
Brighton, CO 80601

Debtor
HVI Cat Canyon, Inc.
630 Fifth Avenue
Suite 2410
New York, NY 10111

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3. SERVED BY OVERNIGHT MAIL: Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on February 9, 2021, I served the following persons and/or entities by overnight mail service (FedEx - Monday delivery) as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

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Atty for California Department Toxic Substances Control

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☐ Service information continued on attached page.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

February 16, 2021

Date

Vivian Servin

Printed Name

/s/ Vivian Servin

Signature

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